



CATHOLIC LEGAL  
IMMIGRATION  
NETWORK, INC.



La COALICIÓN  
Latin American Coalition

# CREATING WELCOMING COMMUNITIES

**Pro-Immigrant Advocacy  
with City & County Policymakers**

**October 6, 2014**

# Our Presenters

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- **Jen Riddle**

State and Local Advocacy Attorney

Catholic Legal Immigration Network, Inc. (CLINIC)

Silver Spring, MD

- **Lacey Williams**

Advocacy Director

Latin American Coalition

Charlotte, NC



# Workshop Outline

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- The role of city and county policymakers in immigrant integration
- Local pro-immigrant initiatives – national trends
- Strategies and tools for effective pro-immigrant advocacy on a local level
- Developing a local advocacy campaign (work in small groups)
- Questions and answers

# Measures to INTEGRATE and INCLUDE Immigrants

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1. Resisting Immigration Enforcement
2. Welcoming Unaccompanied Children
3. Creating Municipal Identification Card Programs

# City/County Governments & Immigrants

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- City Council
- Board of County Commissioners
- Mayor
- Police Chief and Sheriff
- City/County Office of Education and School District
- Health Department
- Other City and County Service Providers

# Resisting Immigration Enforcement

## ICE Reliance on Partnerships with Local Law Enforcement

### Secure Communities (“SComm”)

- Fingerprints and database checks
- ICE knows about every single person arrested in the entire country
- Participation is mandatory

### Criminal Alien Program

- Booking lists, interviews, and notifications to ICE
- Participation is voluntary

### 287(g)

- Local law enforcement agents are permitted to perform ICE agent duties in jails
- Currently, ICE has agreements with 35 law enforcement agencies in 18 states
- Participation is voluntary

## ICE’s Primary Tool = Immigration Detainers

- 48-hour hold request allows transfer of custody from local jail to ICE
- Have enabled hundreds of thousands of deportations

# The Deportation Pipeline



**SECURE  
COMMUNITIES**

Removal  
Proceedings



Detention

Deportation



# Immigration Detainer (aka "ICE hold")

DEPARTMENT OF HOMELAND SECURITY  
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: Event #:	File No: Date:
TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency)	FROM: (Department of Homeland Security Office Address)

**MAINTAIN CUSTODY OF ALIEN FOR A PERIOD NOT TO EXCEED 48 HOURS**

Name of Alien: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Nationality: \_\_\_\_\_ Sex: \_\_\_\_\_

**THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS) HAS TAKEN THE FOLLOWING ACTION RELATED TO THE PERSON IDENTIFIED ABOVE, CURRENTLY IN YOUR CUSTODY:**

- Initiated an investigation to determine whether this person is subject to removal from the United States.
- Initiated removal proceedings and served a Notice to Appear or other charging document. A copy of the charging document is attached and was served on \_\_\_\_\_ (Date)
- Served a warrant of arrest for removal proceedings. A copy of the warrant is attached and was served on \_\_\_\_\_ (Date)
- Obtained an order of deportation or removal from the United States for this person.

*This action does not limit your discretion to make decisions related to this person's custody classification, work, quarter assignments, or other matters. DHS discourages dismissing criminal charges based on the existence of a detainer.*

**IT IS REQUESTED THAT YOU:**

- Maintain custody of the subject for a period **NOT TO EXCEED 48 HOURS**, excluding Saturdays, Sundays, and holidays, beyond the time when the subject would have otherwise been released from your custody to allow DHS to take custody of the subject. This request flows from federal regulation 8 C.F.R. § 287.7, which provides that a law enforcement agency "shall maintain custody of an alien" once a detainer has been issued by DHS. **You are not authorized to hold the subject beyond these 48 hours.** As early as possible prior to the time you otherwise would release the subject, please notify the Department by calling \_\_\_\_\_ during business hours or \_\_\_\_\_ after hours or in an emergency. If you cannot reach a Department Official at these numbers, please contact the Immigration and Customs Enforcement (ICE) Law Enforcement Support Center in Burlington, Vermont at: (802) 872-6020.
- Provide a copy to the subject of this detainer.
- Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.
- Notify this office in the event of the inmate's death, hospitalization or transfer to another institution.
- Consider this request for a detainer operative only upon the subject's conviction.
- Cancel the detainer previously placed by this Office on \_\_\_\_\_ (Date)

\_\_\_\_\_  
(Name and title of Immigration Officer)

\_\_\_\_\_  
(Signature of Immigration Officer)

**TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE:**

Please provide the information below, sign, and return to the Department using the envelope enclosed for your convenience or by faxing a copy to \_\_\_\_\_. You should maintain a copy for your own records so you may track the case and not hold the subject beyond the 48-hour period.

A request from ICE to the local or state police, jail, sheriffs, or other law enforcement agency:

1. ICE is interested in this person
2. Please contact ICE before you release the person, to let ICE know when they will be let go
3. Please hold the person after their release date for an extra 48 hours to give ICE time to come get them





# THE CRIMINAL JUSTICE PROCESS

START: POLICE STOP/ARREST



BOOKING INTO JAIL AFTER ARREST



ARRESTEE IN JAIL (Pre/Post Bail Hearing)



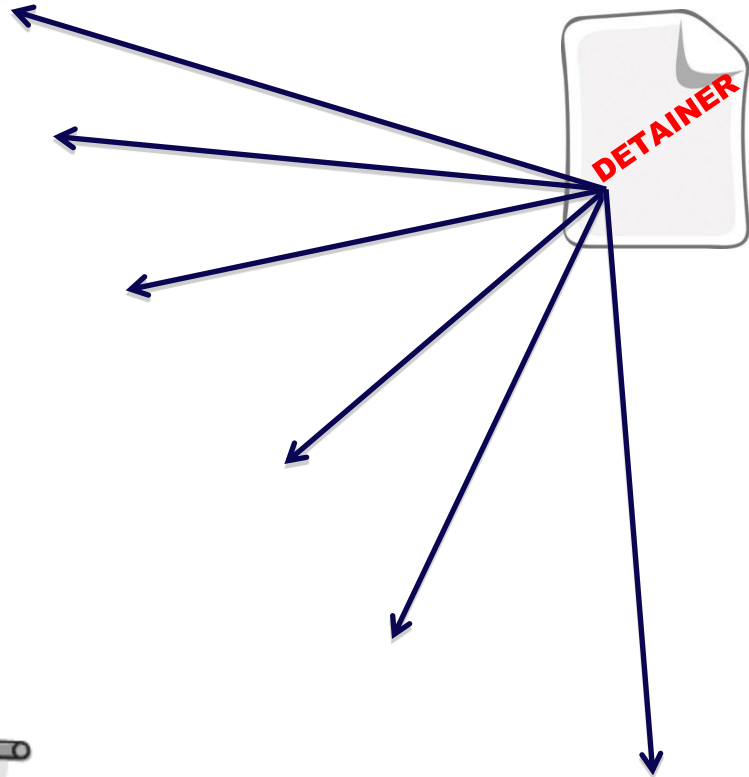
BAIL/CUSTODY HEARING



CRIMINAL CHARGES & DISPOSITION (plea/trial/dismissal/sentence)



POST-CONVICTION (appeal, completion of sentence, release from criminal custody, probation)

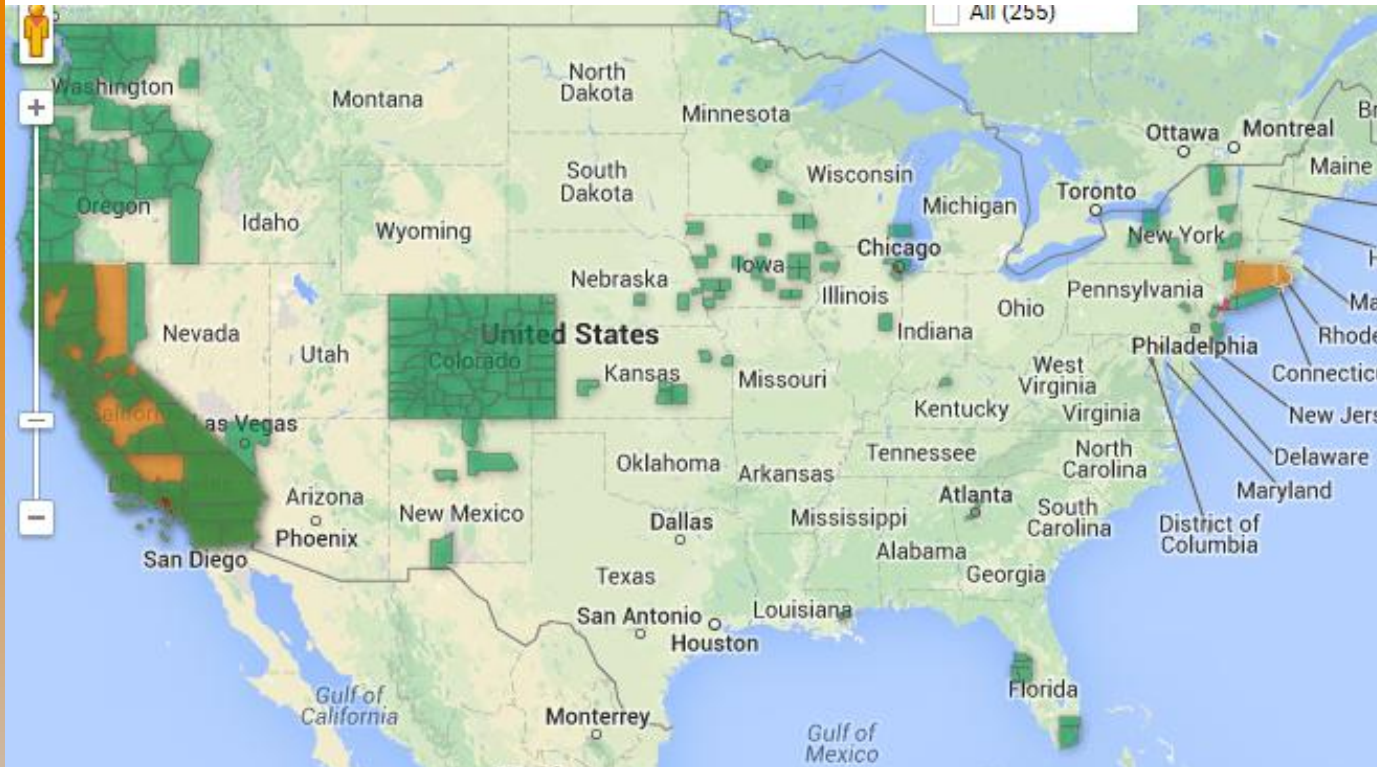


# Advocacy to Limit Cooperation with ICE: Immigration Detainer Policies

2011-2012: Ordinances & resolutions limiting compliance with immigration detainers in a small number of localities.

2013: Approximately 20 localities have detainer policies (plus California and Connecticut).

Spring of 2014: Court opinions question the legality of local holds based on ICE detainers.



**Oct 2014:  
There are  
more than  
250 policies  
nationwide!**

# What might a detainer policy look like?

- A State Law
- A City Council Ordinance, Resolution, or Policy
- A County Board Ordinance, Resolution, or Policy
- A Mayor's Executive Order
- A Sheriff's Policy, Directive, Procedural Order, Announcement, or Memorandum
- A Police Department Policy, Directive, Procedural Order, Announcement, or Memorandum
- A City/County Detention Center Policy
- A City/County Department of Corrections Policy



# A Local Detainer Policy Win: Doña Ana County, New Mexico



[www.bnhr.org](http://www.bnhr.org)

Slide courtesy of the Border Network for Human Rights

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# Advocacy Resources

<https://cliniclegal.org/programs/advocacy/state-and-local>

- Webinar - Communities Resisting Immigration Enforcement: Detainer Policies and Local Advocacy
- States and Localities That Limit Compliance with ICE Detainer Requests
- The Cost of State & Local Involvement in Immigration Enforcement
- Talking Points: Why States Should Separate Local Policing From Immigration Enforcement
- A Tool Kit for Communities to Advocate Against ICE Partnerships with Local Law Enforcement Agencies

[www.ilrc.org/enforcement](http://www.ilrc.org/enforcement)

<https://www.aclu.org/affiliates>

[http://www.ice.gov/secure\\_communities/](http://www.ice.gov/secure_communities/)

<http://www.ice.gov/287g/>

<http://www.ice.gov/criminal-alien-program/>

<https://www.ice.gov/news/library/factsheets/detainer-faqs.htm>



# Welcoming and Protecting Unaccompanied Children

Who Are Unaccompanied Children (UACs)?

What Are the Numbers?

- 66,142 children so far in FY2014

Where Are They Coming From?

- Guatemala: 37%
- Honduras: 30%
- El Salvador: 26%

Why Are Children Coming?

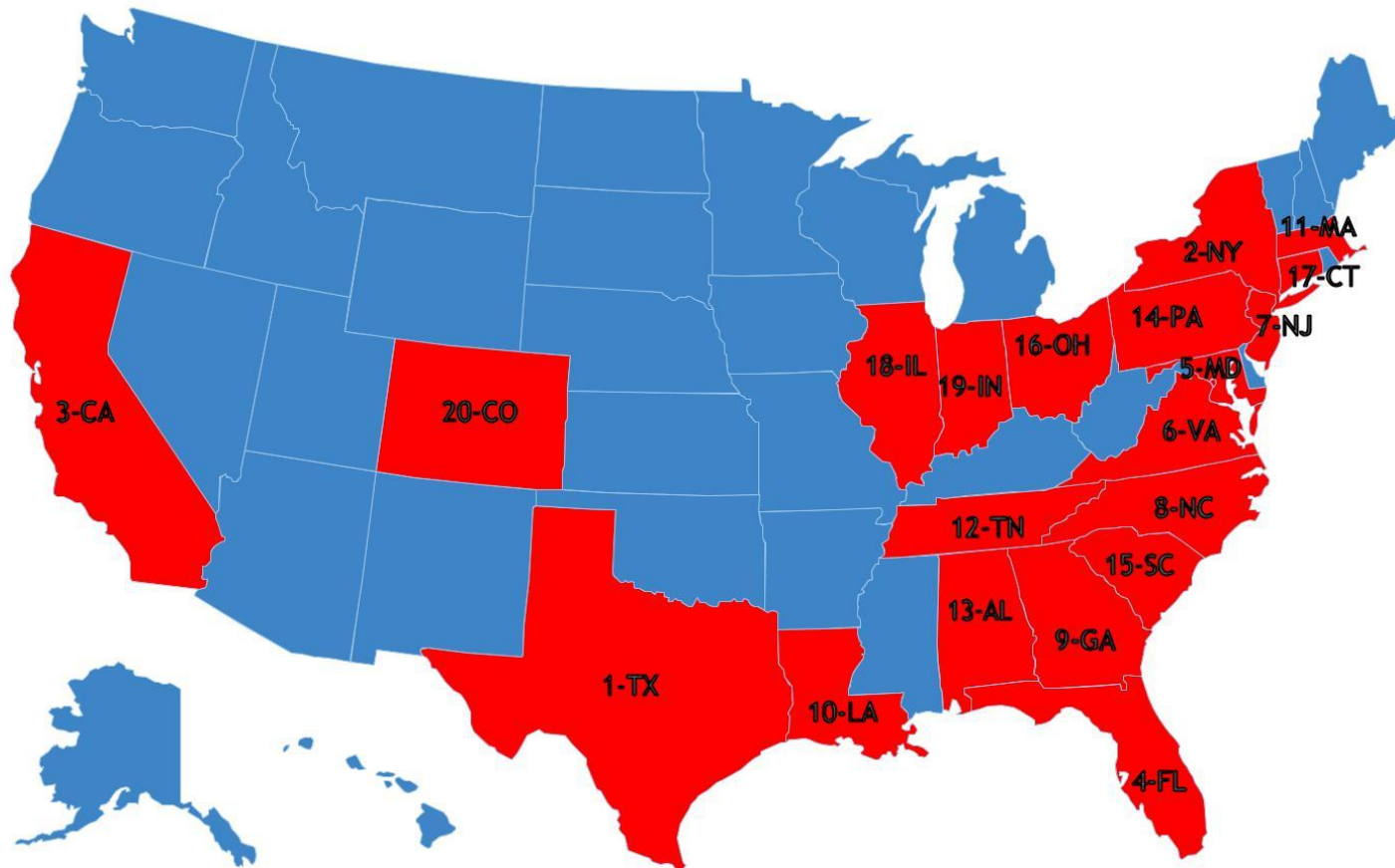
- Widespread gang violence
- Domestic violence/abuse
- Extreme poverty
- Join family members in the U.S.



How Do Children Get to my Community?

# Statistics by State

Children Released to Sponsors Jan 1 to Aug 31, 2014



<http://www.acf.hhs.gov/programs/orr/programs/ucs/state-by-state-uc-placed-sponsors>  
<http://www.acf.hhs.gov/programs/orr/unaccompanied-children-released-to-sponsors-by-county>

# What Can Local Governments Do...

To facilitate access to **existing** legal services, education, healthcare, & other social services?

To **expand access** to much-needed services?

- Conduct outreach
- Create a task force
- Fill the gaps in services
- Pass a resolution of welcome
- Assist with housing
- Issue calls to action
- Fund services
- Coordinate & connect

THE NEW YORK IMMIGRATION ASSISTANCE CONSORTIUM PRESENTS

EL CONSORCIO DE ASISTENCIA DE INMIGRACIÓN DE NUEVA YORK PRESENTA

**BRONX YOUTH FAIR**

IMMIGRANT

HELP FOR UNACCOMPANIED MINORS  
LEGAL CONSULTATIONS AND REFERRALS  
DACA APPLICATION AND RENEWAL ASSISTANCE  
INFORMATION ON JOB REFERRALS, SCHOOL ENROLLMENT,  
ENGLISH CLASSES, HEALTH SERVICES AND MUCH MORE  
ALL FREE OF CHARGE  
CHILDREN OF ALL AGES WELCOME

WEDNESDAY  
**AUG 27<sup>th</sup>**  
10AM - 4PM

IGLESIA EVANGELICA GARIFUNA  
**344 BROOK AVENUE • BRONX NY**  
for info and registration call 212-627-2227 ext. 227  
LEGAL HELP OFFERED BY NYLAG  
SE HABLA ESPAÑOL

**BRONX JÓVENES**

FERIA PARA

ASISTENCIA PARA MENORES LLEGADOS RECIENTEMENTE  
CONSULTAS Y REFERENCIAS LEGALES  
ASISTENCIA PARA RENOVAR APLICACIONES DE DACA  
INFORMACIÓN SOBRE REFERENCIAS DE TRABAJO, ASISTENCIA ESCOLAR,  
CLASES DE INGLÉS, SERVICIOS DE SALUD Y MUCHO MAS

TODOS SERVICIOS GRATIS  
NIÑOS Y JÓVENES DE TODAS EDADES SON BIENVENIDOS

MIÉRCOLES  
**AGOSTO 27**  
10AM - 4PM

IGLESIA EVANGELICA GARIFUNA  
**344 BROOK AVENUE • BRONX NY**  
si tiene preguntas o desea registrar llame al 212-627-2227 ext. 227  
AYUDA LEGAL POR NYLAG

IGLESIA MUROS de FUEGO IGLESIA MUROS de FUEGO





# Unaccompanied Children:

## HOW TO HELP ▶

 <p><b>Sign up to Help &gt;</b> buscandomaryland.com</p>	 <p><b>Become a Foster Parent to Children Seeking Refuge &gt;</b></p>	 <p><b>Get Help &amp; Services For Children Seeking Refuge &gt;</b></p>	 <p><b>Data and Reports &gt;</b></p>
 <p><b>Version en Español &gt;</b></p>	 <p><b>FAQ's &gt;</b></p>	 <p><b>Attorneys: Help Provide Legal Services &gt;</b></p>	 <p><b>Resource Guide for Families &gt;</b></p>

<http://buscandomaryland.com/>



# A Local Success in San Francisco, CA

- Board of Supervisors Ordinance
- \$2.1 million funding for *pro bono* legal services to represent unaccompanied children & families



Slide courtesy of Pangea Legal Services

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# Advocacy Resources

## ADVOCACY IN YOUR COMMUNITY

### **10 Ways to Welcome the Children at Our Border**

*10 suggestions on how to show support for unaccompanied children.*

### **The Impact of Unaccompanied Children on Local Communities - Frequently Asked Questions**

*Answers to questions about when and how unaccompanied children may come to live in your community and what impact they might have on local schools, healthcare services, and public safety.*

### **Webinar – Advocating to Protect Unaccompanied Children in Your Community**

*This webinar addresses advocacy on behalf of unaccompanied children residing with sponsors and relatives across the United States as they await their immigration hearings.*

## GOVERNMENTAL ADVOCACY

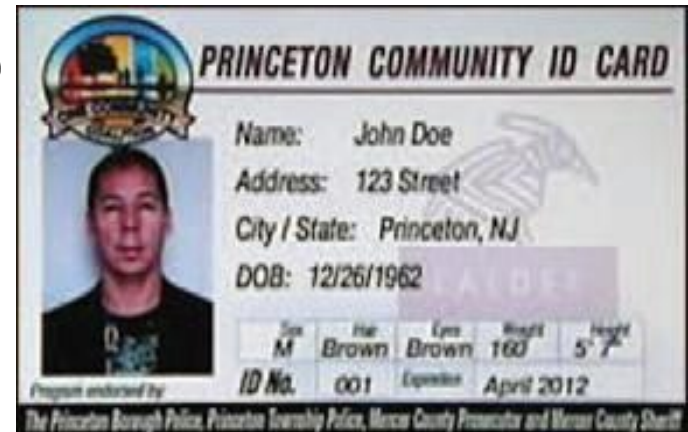
### **State and Local Resolutions in Support of Unaccompanied Children (Aug 25, 2014)**

*Review examples of state and local resolutions seeking to meet the housing, legal services, healthcare, and educational needs of young migrants in your community.*

<https://cliniclegal.org/resources/unaccompanied-migrant-children-toolkit>

# Municipal Identification Card Initiatives

- Los Angeles, CA
- Oakland, CA
- Richmond, CA
- San Francisco, CA
- New Haven, CT
- Washington, DC
- Mercer County, NJ (Princeton & Trenton)
- Asbury Park, NJ
- Freehold, NJ
- New York City, NY



Campaigns are underway in:

Charlotte, Philadelphia, Iowa City, Boston, Tucson, Phoenix

# What vulnerable groups would benefit from eligibility for municipal ID cards?

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- Undocumented immigrants
- Victims of domestic violence or natural disaster
- The homeless
- Low-income senior citizens
- Youth in foster care
- The formerly incarcerated

# How Do Municipal ID Cards Improve Individuals' Lives?

- Report a crime or file a complaint with the police
- Assert one's identity to emergency medical responders
- Report wage or other workplace violations
- Rent an apartment
- Obtain services from local utilities
- Open a bank account
- Cash a check
- Obtain a loan
- Pay for purchases with a check, credit card, or debit card
- See a doctor at a city-run health clinic
- Fill a prescription
- Obtain insurance
- Pick up a child from school
- Enter a government building
- Borrow a book from the library
- Access a city park, beach, or recreation center
- Collect a package from the post office



# Advocacy Resources

*Through Municipal ID Card Initiatives, Cities Work to Document the Undocumented*

Talking Points: *Why Cities Should Issue Municipal ID Cards to All Residents*

*How Will Municipal ID Cards Improve Individuals' Lives?*

<https://cliniclegal.org/programs/advocacy/state-and-local>

New York City's *Local Law No. 35 of 2014*

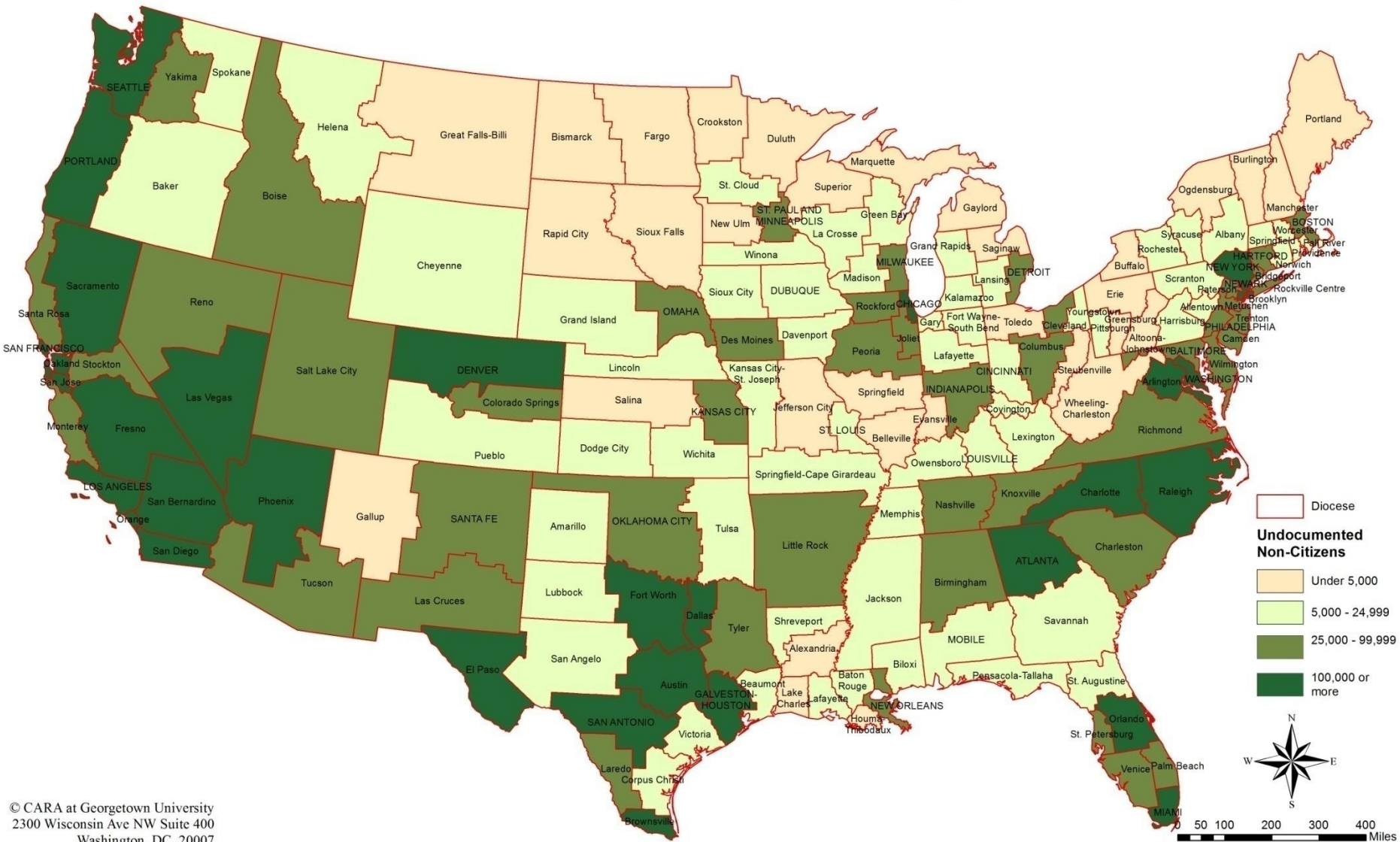
*Who We Are: Municipal ID Cards as a Local Strategy to Promote Belonging and Shared Community Identity*, Center for Popular Democracy, Dec 2013,

<http://populardemocracy.org/news/who-we-are-municipal-id-cards-local-strategy-promote-belonging-and-shared-community-identity>

*Estimates of the Size and Demography of the Undocumented on-Citizen Population in U.S. Catholic Dioceses*, Center for Applied Research in the Apostolate (CARA) at Georgetown University, Apr 2013.

<https://cliniclegal.org/undocumented-population-estimate-2013>

# Estimated Number of Undocumented Non-Citizens by Diocese



<https://cliniclegal.org/undocumented-population-estimate-2013>





# What Do Pro-Immigrant Policies Look Like?

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- Resolutions
- Ordinances
- Executive orders
- Budgetary measures
- Creation of a local immigrant affairs office or immigrant integration task force

All measures start with relationship building.

# Advocacy Tools & Strategies



# Developing a Local Advocacy Campaign

Working in small groups...

1. Select a city or county
2. Identify an issue of concern to the local immigrant community
3. Target a local decisionmaker
4. Formulate an “ask”
5. Devise an advocacy plan

# Questions?



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